



Applicants Response to the Examiners Final
Office Action Regarding Application

10,083,771 Filed 2/27/02 by

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Reg. Mar. 3643
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6-10-03

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The examiner states that Adams shows the same basic geometry as this applicant's own invention and will operate in the same manner during use. Since this applicant's fishing weight is completely static in structure, this applicant can only assume that the examiner means that Adams will also spin during use. The Adams specification states the opposite is true and this applicant agrees with Adams.

The examiner states that this applicant made the argument in the first office action response that Adams uses multiple parts; however, this applicant submits that there was a misunderstanding by the examiner, and that this applicant was agreeing with Adams that the Adams weight is unitary. Brief review of the letter to examiner will easily clear up this misunderstanding.

The examiner states that this applicant also made the argument in the former response that curvature and angles of his own invention were missing from the references cited; however, this is also a misunderstanding on the part of the examiner and also will be easily cleared up by further review of this applicants letter to examiner of the first office action. This applicant argued that angles of curvature were stated by Adams as part of a combination of features of the Adams configuration that contribute to the balance of his weight to keep it from spinning.

The examiner states that Adams and this applicants weight would have the same static properties as applied to the tight line method of fishing. This applicant disagrees and will explain in detail using Adams as a reference.

This applicant submits that he was held to a standard for writing claims that is unusual for a lay applicant, and submits that this is due to the examiners misunderstanding of the difference of operation between Adams' invention and this applicants own invention.

This applicant apologizes to the examiner for the inconvenience caused by what the examiner believes is an inadequate prior art section, but respectfully points out that this applicant does have a prior art section in which he did point to Adams as prior art, and also points out that Adams has shown to be the examiners main point of reference.

This applicant respectfully submits that the examiner misunderstands the operation of the Adams weight when in use and calls the examiners attention to the preferred embodiment section of Adams and the orientation of Adams in the water when in use. On page 3 in the preferred embodiment of Adams adjacent median numbers 50 and 55, Adams states that a bead is attached at the distal end of the wire protruding from the free end of the body of Adams' weight, and that during use the wire and bead are dragged along the bottom with the entire body of the weight up off the bottom providing the user with a better feel or sensitivity for the bottom and providing increased snag resistance. Adams also states on page 6 of the preferred embodiment, adjacent median numbers 15 and 20 that the eyelet is in a perpendicular plane to the curve of the wire. As a whole the bead rests on the

bottom and the body is extended up and off the bottom and the eyelet is in a vertical plane during use. Given the orientation of Adams' weight in the water, this applicant submits that a lever is defined with the bead as the fulcrum and the eyelet as the point where force is applied by pulling on the line. Such a lever would easily pull the eyelet down if the fulcrum were attached to the bottom with only slight pressure applied from the line. The bead is not attached to the bottom and the flotation causes the weight to rise upward and forwardly from the bottom when pressure is applied to the line. As a result, when pressure is applied to the line, the lower portion of Adams slides along under the flotation portion with only enough static weight to maintain contact with the bottom by the bead, which allows the angler a better feel or sensitivity for the bottom. Upward and forward motion can be found on page 5 adjacent median numbers 55 and 60.

In the manner described above, Adams maintains a vertical orientation during use. Due to the leverage supplied by the length of the weight, only a slight force from the line will cause Adams to slide across the bottom. This is necessarily a slow mode of retrieval whereby the weight leaves the bottom only when jerked or hopped over obstacles too large for the weight to wiggle around or through.

The weight of this applicant's application is designed to be retrieved in a fast, steady mode unattainable by Adams weight. The flotation of Adams weight decreases the out of water value of the static portion when submerged.

Because the flotation does detract from the value of the static portion of Adams' weight, it cannot function as a static weight for the tight line method of fishing.

Due to the long casting distances commonly employed by tight line fishermen, the line attached at the eyelet of Adams weight would be at an oblique angle to the tip of the fisherman's rod. The resultant line sag caused by water molecules adhering to the line would cause Adams' weight to move with only a small tug at the line, and the force needed to achieve a tight line is considerable to overcome water weight and line sag.

A fast, steady retrieve would move Adams weight through the water with a speed and force that would cause the static portion of Adams' weight to be pushed back by water pressure while the eyelet portion would be pulled down so that the upper portion of the body is obliquely oriented and in alignment with the oblique angle of the line. Since the lower portion of Adams weight is curved, and the wire of the free end extends from the weight in line with the curve, a hook-like formation would be defined.

Since the static-free end portion now lags behind the flotation portion, said free end would roll downward to either lay on its side to be dragged across the bottom with the bead and wire at a substantial right angle, or would lose contact with the bottom and hang straight down, or spin. All three scenarios are undesirable and pose a snag hazard, which is why Adams designed his weight not to spin.

Adams states in his specification that his weight does not spin and that the absence of such is due to a carefully balanced design involving angles of curvature with proportionate and strategically placed flotation with extended wire portions also contributing to the balance of Adams' weight. Such is stated in the Summary of Invention of Adams on page 2, adjacent median numbers 15 and 20. Such is

stated again on page 4 in the preferred embodiment section of Adams adjacent median numbers 55 through 60 wherein Adams states that spinning is adverse to proper operation of his weight.

Adams also states on page 6, adjacent median number 40, that his weight is unitary and i.e. of one piece.

Adams states that multiple parts are snag hazards and sets his weight apart from the prior art by actually claiming his weight is unitary. Both multiple parts and unitary are found in the prior art of Adams on page 1, adjacent median numbers 35 through 45 in paragraphs 2 and 3.

This applicant agrees with Adams in that his weight of the present invention is unitary.

Adams distinguishes over the prior art as being a unitary weight, and states in the prior art section that weights of the prior art are at a disadvantage for having multiple parts. Adams states multiple times in his specification that his weight does not spin, and this applicant submits that attachment apparatus, apart from the line, would give Adams no practical or critical advantage.

In view of everything laid out in this communication, this applicant submits that in order to operate properly in a consistently snag-resistant manner,

1. Adams' weight does not spin,
2. Adams' weight is unitary,
3. Adams' weight cannot achieve a tight line for performing the tight-line method of fishing, and

4. Adams must maintain a substantially slow retrieve to stay in contact with the bottom to achieve the better feel or sensitivity for the bottom.

This applicant respectfully requests reconsideration of the first and the final office action, and again respectfully requests the examiner to write claims for him.

Thank You,

Huey Thomas Crochet
Huey Thomas Crochet